

ITEM NO.53

COURT NO.6

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).20061-20062/2008

(Arising out of impugned final judgment and order dated 29/04/2008 in WP No. 16636/1995 29/04/2008 in WP No. 22274/2007 passed by the High Court of Madras)

SIVAKASI REGION TAX PAYERS ASSN.

Petitioner(s)

VERSUS

STATE OF T.NADU &amp; ORS.

Respondent(s)

(With appln.(s) for bringing on record additional documents and directions and exemption from filing O.T. and impleadment and modification of Court's order dated 19.10.2011 and stay of eviction noted dated 01.10.2015 and interim relief and office report)

WITH CONMT.PET.(C) No. 197-198/2012 In SLP(C) No. 20061-20062/2008  
(With appln.(s) for impleading party and Office Report)

Date : 17/10/2016 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s) Mr. Natrajan Santharam, adv.  
Mr. C. Kannan, Adv.  
Mr. S.Nagarajan, AOR

For Respondent(s) Dr. Rajeev Dhawan, Sr. Adv.  
Mr. M.P. Parthiban, adv.  
Mr. Anish R. Shah, AOR

Mr. Subramonium Prasad, Sr. Adv.  
Mr. C. Paramasivam, Adv.  
Mr. B. Balaji, AOR  
Mr. Muthuvel Palani, Adv.  
Mr. A. Arvind, Adv.

Mr. Gautam Narayan, AOR  
Mr. Shatrajit Banerji, Adv.

Mrs. Geetha Kovilan, AOR  
Mr. P.R. Kovilan, Adv.  
Ms. Awasthi N.K., Adv.

Mr. S. R. Setia, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Learned counsel for the State says that according to instructions received by him, there are 128 encroachers. The break-up is as follows:

62 encroachers are occupying residential sites. He says that 41 of them have agreed to vacate the premises by 5<sup>th</sup> November, 2016 since they have been given alternative accommodation. Of the remaining 21, he says that they will also vacate by 5<sup>th</sup> November, 2016 even though they have not been given alternative accommodation.

34 encroachers are on commercial sites and it is stated that these commercial sites have been vacated and buildings demolished on 14<sup>th</sup> October, 2016.

21 encroachers are on residential-cum-commercial sites. He says that he will get instructions in this regard on or before the next date of hearing.

2 buildings belonging to the State Government and 2 temples are also encroachers and he says that these will be vacated by 5<sup>th</sup> November, 2016.

7 sites are said to be vacant. Therefore, there is no dispute about them.

Learned counsel appearing on behalf of alleged encroachers occupying 62 residential sites says that he

has not been heard in the matter and he would like to address submissions in this regard.

Learned counsel appearing for some of the alleged encroachers on residential-cum-commercial sites says that he has not been heard in the matter and would also like to address submissions.

List for hearing on 8<sup>th</sup> November, 2016 on a non-miscellaneous day.

In the meanwhile, no coercive steps be taken to vacate the encroachers except those who have consented to vacate voluntarily.

(SANJAY KUMAR-I)  
AR-CUM-PS

(JASWINDER KAUR)  
COURT MASTER